

**ENTERED**

August 31, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

RICKEY WELCH, §  
§  
Plaintiff, §  
VS. § CIVIL NO. 2:18-CV-308  
§  
JAVIER MURO, §  
§  
Defendant. §

**ORDER**

The Court is in receipt of the Magistrate Judge's Memorandum and Recommendation ("M&R") to Dismiss Case for Failure to Prosecute, Dkt. No. 20.

Plaintiff Rickey Welch ("Welch") was previously instructed to notify the Court of any change of address. Dkt. No. 6. On May 21, 2020, a Clerk's Notice mailed to Welch at his listed address was returned undeliverable with the notation "RTS - Discharge." Dkt. No. 19. The Texas Department of Criminal Justice ("TDCJ") no longer reports Welch as being in its custody.<sup>1</sup> In the M&R, the Magistrate Judge indicates Welch was discharged on November 1, 2019. Dkt. No. 20. The Magistrate Judge recommends dismissing Welch's complaint for failure to prosecute. Dkt. No. 20.

After review of the filings and relevant law, the Court **ADOPTS** the Memorandum and Recommendation, Dkt. No. 20, in its entirety. The Court **DISMISSES** Welch's complaint without prejudice for failure to prosecute.

SIGNED this 31st day of August, 2020.

  
\_\_\_\_\_  
Hilda Tagle  
Senior United States District Judge

<sup>1</sup> See TDCJ Offender Information Search, <https://offender.tdcj.texas.gov/OffenderSearch/start.action>